
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

W. CLARK APOSHIAN,

Plaintiff,

v.

MERRICK GARLAND, Acting Attorney
General of the United States, et al.

Defendants.

Case No. 2:19-cv-00037-JNP

**DEFENDANTS' CONSENT MOTION
FOR AN EXTENSION OF TIME**

District Judge Jill N. Parrish

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 7-1 of this Court's local rules, Defendants respectfully requests a 7-day extension of time, to and including February 13, 2023, to file a response to Plaintiff's motion for summary judgment and cross-motion. Defendants' current deadline is February 6, 2023. This is our first request for an extension of time for this purpose. Undersigned counsel conferred with counsel for Plaintiff about this request via e-mail; counsel stated that Plaintiff consents to this request.

This extension is necessary because undersigned counsel has faced some previously-unanticipated obligations over the past month that have detracted from his ability to devote the necessary time to this case. These have included several confidential but time-sensitive matters that occupied counsel's attention. Due to undersigned counsel's competing obligations, he anticipates that he will require an additional 7 days to complete the response brief here.

To ensure that the parties are not prejudiced by this extension, Defendants further respectfully request that all subsequent deadlines set forth in the Court's scheduling order dated Nov. 2, 2022, ECF 57, also be shifted by seven days.

For these reasons, Defendant respectfully requests that the Court grant this extension.

Dated: January 31, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney
General

BRIGHAM J. BOWEN
Assistant Branch Director
Federal Programs Branch

/s/ Alexander V. Sverdlov
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 31st day of January, 2023, a copy of the foregoing was filed electronically. This filing was served electronically to all parties by operation of the Court's electronic filing system.

/s/ Alexander V. Sverdlov